


U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

ANTHONY C. PITRE

CIVIL ACTION NO. 06-1802

VERSUS

JUDGE STAGG

DAVID WADE CORRECTIONAL
CENTER, ET AL

MAGISTRATE JUDGE HORNSBY

ORDER

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, including the written objections filed by both plaintiff and defendants, and concurring with the findings of the Magistrate Judge under the applicable law;

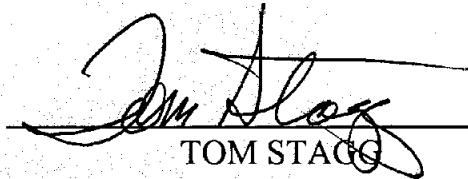
IT IS ORDERED that the Motion to Dismiss (Doc. 22) is granted in part as follows:

- (A) All claims for injunctive or declaratory relief are **dismissed as moot**;
- (B) All individual capacity claims under the ADA and efforts to enforce the ADA through Section 1983 are **dismissed with prejudice**, and any efforts to enforce the ADA through Section 1983 are **dismissed as moot** in light of Plaintiff's amendment to his complaint that disavows any such claim;
- (C) All claims for compensatory damages based on exclusion from work release status be **dismissed with prejudice**; and

(D) All Section 1983 claims against Defendants Richard Stalder, Venetia Michael, Michelle Dautat, Angie Huff and Becky Moss are **dismissed with prejudice**. All other claims against those five defendants have been dismissed, so this will result in their termination as parties to this civil action.

The motion is denied in all other respects. As stated in the Report and Recommendation, one remaining claim is the ADA claim against the (at the time not yet served) State of Louisiana and Department of Public Safety and Corrections. The other principal claims are those against Betty Ennis and Brenda Acklin.

THUS DONE AND SIGNED at Shreveport, Louisiana, this the 14th day of February, 2008.


TOM STAGG
UNITED STATES DISTRICT JUDGE